

### REMARKS/ARGUMENTS

The Office Action rejects claims 1-20 under 35 USC 102(b) as being allegedly anticipated by Martinez (U.S. 20020142792 A1). In response thereto, Applicant has amended each of the independent claims, namely, claims 1, 10 and 20 to further distinguish Applicant's claimed invention from the teaching of Martinez. With respect to claim 1, Applicant has amended this claim to read "enabling a user to temporarily select a first user notification profile..." and "switching automatically to a second user notification profile when a switch condition defined by the user is satisfied...". With respect, the Martinez reference does not teach or suggest a wireless device that enables a user to temporarily select a first profile which is then replaced by another second profile on satisfaction of a switch condition defined by the user. In contrast, Martinez teaches a wireless device where conditions (e.g., time, location, working, holidaying etc.) are sensed by the device to enable automatic configuration of the device with the user preference information associated with that particular condition. The Martinez device operates as a finite set of states. In other words, the device in Martinez senses a trigger or specified condition such as whether the current time is within working hours, non-working hours, travelling times and whether calendared events may indicate meetings, work or other activities. Furthermore, the device can sense whether it is on the public network or whether it is in a private network environment. These conditions are sensed by the wireless device to enable automatic selection of the most appropriate profile. However, nothing in Martinez suggests the step of enabling a user to temporarily select the first user notification profile, whereupon the device switches automatically to a second user notification profile when a switch condition defined by the user is satisfied. In other words, the present application claims a method enabling a user to temporarily set a first profile and a switch condition for switching to another profile. Since the Martinez reference does not teach or suggest the limitations of the amended claims, it is respectfully submitted that this application is now in a condition for allowance.

The Martinez device selects the appropriate profile based on a finite set of possible conditions such as where the cell phone is in the network and what events appear in the calendar, the time of day or the cell phone location. Therefore, the Martinez device automatically selects the condition without soliciting any input from the user. The Applicant on the other hand, is

claiming a method and a wireless device wherein the user can manually enable a profile and set a switch condition for reverting to another profile. For example, the present invention would enable a wireless user to temporarily enable a silent mode setting when entering a movie theatre and to define a switch condition of two hours whereby the device would switch back to normal/loud operation after the two hours has elapsed. Since the Martinez device does not describe the use of switch conditions to revert from a temporarily (manually overwritten) profile to another profile, it is respectfully submitted that these claims represent novel and inventive subject matter with respect to Martinez.

In light of the foregoing, it is respectfully submitted that the claims are now in a condition for immediate allowance. Applicant therefore respectfully solicits the prompt issuance of a Notice of Allowance.

Respectfully submitted,

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